P. F. 101 of 97

G. R. S. IX-5]

Previous references. 1895-1896.

191

(L. R.)

Later references.

File No. 111 of 95

Serial Nos. 1-13

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. 1-13

Major ~~Part~~ B for August 1897

SUBJECT.

Appeal of Venkatramaiah of Mandya, Mysore District, regarding his claim to the Shanbhogi.

Communicated

long to Pet^n Branch

Transferred to the petition Branch.

24/2

Refs ~~are~~ put up ~~for~~
~~for~~ ~~No 2300 of 16-4-97~~

AK
27/2

L.R.111 - 97

Chatra nagar) instituted a suit before the Sub Sr Offr for a declaration of ½ share in the Archa of the Archa Thambopse. The Sub Sr decd the claim ~~to~~ allowed ~~altogether~~ ~~except~~ except every ~~except~~ to the latter party the order was appeal to Dy Commr who simply declared by decree

el to Govt the Dy Commr
ked to report whether one
ge was adequate to discharge
es of a heavy Archa and whether
ointment of a separate
ffice for Mandya town was
ecessary, Land Rev + Mohatarfa
separate items of revenue

r reports that the two Thanr
e necessary, one for the town
for the Archa and that the
fficers is of the same opinion

Subd to 2nd Comr
a draft order + endorsement
JM
9/3/97

ENT DEPART
1896-97

~~A 5553~~
~~3779~~
R 525

From The Deputy Commissioner Mysore District.

To The Secretary to the Government of Mysore Revenue & General Depts.

Dated 16th
Despatched February/97.
Received
General No.
No. 1306

Enclosure No. 4

stating that the appointment of one Chambopse for the five villages of the Grandya Archa and of a separate person for the Municipal town of Grandya is necessary.

Nes
22.2.97

Appeal No. 66 of 1895-96.

Appellant
Venkataramiah

Respondent.
Kesimappa alias
Puttaiya

Decree regarding the charge of
Kasba Manya

List of papers.

1. Extract from Marriage Register of 1882
2. Copy of the Ch. Ct. Officer's Judgment.
3. do of 3.9. Consent — do
4. Genealogical table.
5. Appeal Petition.
6. Official Memorandum
7. 3.9. Consent letter d 3.9.96.
8. Decree, — Said

the land revenue of Mobakanha
is Rs 4500 & the
amount of
the work above
much for one
2 discharged
2 A both men
revenue
different
the

to
point 1200 to
rather
undertake
solicitously
men
blocks
funds
court

√

will consider the tendency
of barrier to a separate Champagne
for each of these districts
a report on the whole.

29th Oct/96

Duplicate
L.C. 5/11.

4 2 drafts for approval

Proceedings of the Court of Kasaragod

Read:-

(1) Petition No. 1438/A1/66-97 dt. 3.12.97 from Venkataramana Kamath Kaiba, Kasaragod District, pleading against the Deputy Commr's order and decree in Rev Appeal No. 1 of 1895-96 on the file of his Court, regarding his claim to the Shanbhogi of Kaiba Kamathi and 4 Malabar villages.

(2) Correspondence ending with letter No. 13068/A6/97 dt. 16.12.97 from the Dy. Commr, Kasaragod dt. reporting with reference to Govt. order No. 4223/P630 dt. 27.11.96, that the appointment of one Shanbhog for the 5 villages of the Kumbla Sima and of the Quarters for the Kundapur Taluk of Kundapura is unnecessary

necessary

Order thereon

The facts are:- Petitioner Venkatramaya instituted a regular suit in the Court of the Sub-Dn Officer, French Rocks, for a declaration of his right to perform the duties of Shanbhog of Nandya village jointly with the defts. Pantanya and to half share in the Police The Sub Dn Officer decreed Pet's claim and allowed him to officiate every alternate term of 3 years. On defts appeal to Dy Comm^r the Sub Dn officer's order was modified by omitting all reference to officiation by rotation, ~~and~~ it ~~was~~ being held ~~directed~~ that Pet^r being a hereditary should not affect the incumbency of the

officiating Chairman. Hence the present appeal to Govt.

X 2. The Govt approve of the proposals of the Deputy Commr contained in his letter regarding the appointment of Mukadams [illegible] place. The Dy Commr will appoint Petr to one of the 2 Pardesi Mukadamships which the former will be directed.

(In this Office the finding [illegible] to be confirmed & the appointment Kumbha Mukadam for the Chawdi may [illegible] 11/2/97)

11/2/97

X 2. Mr Anderson the Dy Comr appealed against is correct. There can be but one Officiator to the Shenka and the prayer of the appellant to be allowed to discharge the duties of Shanbhag either wholly or by deputy is inadmissible. The appeal is therefore rejected - dismissed.

Redrafted

For Secretary

11/3/97

3 In the course of the enquiry into this matter it was noticed that the revenue of this village amounted to Rs 1200 which was the Mohatarfa revenue of the Mundya Town and was credited to the Funds of that Municipality. It has been ascertained that for the purposes

The Deputy Commissioner Belgaum for information with reference to the Supt of Revenue Surveys in Mysore.

Recommends

of the collection of the revenue
the Municipality [illegible] maintains
a separate set of accounts and
pays a small remuneration
to the village Shanbogue - the
Deputy commissioner recommends
that this work may be
separated from that of the
village Shanbogue and submits
the proposal of the Sub-
Officer who is at present in
in charge of the municipal
revenue. The Dy Supt
objects to the splitting up
of the charge which should
be one village and suggests
the advisability of a Deputy
Shanbogue being appointed
where the Municipal Shanbogue.
The Dy Commissioner thinks that
in compelling the Police
remuneration the Town
Mohalla revenue was
not into account. Under
these circumstances I consider
that it will facilitate
the discharge of work
if the Municipal revenue
of the Town a separate
Shanbogue is appointed
with the rest of the village
which is appointed, and are
awarding increased
allowance sanction the
effect of Vanilla Ramayya
as proposed by the Dy Comm

11/6/97

who has to deal with a large revenue of about Rs 4000

All the Supt of Police
[illegible] the Town
in the various
regards the
recommendation
made by the Dy
Commissioner
for the charge
of the two Shanbogues
Superintendence along
so connected the
Municipal Supt
also

25/3/97

Rec'd 24/3/97
A munic. order needed
Dy/26/3/97

[illegible] the revenue of which
is considerably more than Rs 3000
[illegible] the maintenance
Bmore 27/3/97 land dues
of a Shanbogue
in charge of
the Police
duties

Subd.

Vide papers are sent on
the point referred to in the above
letter
5/4/97

Draft letter
to Dy Commr
& Municipal
Rec'd 5/4/97
[illegible]

5

Memo

Petitioner Venkataramaya instituted a regular suit before the Sub Division officer, Penukonda for a declaration of his 2 share in the land of the inamdar Pinnika Lakshmi. The Sub Division officer decreed the claim and allowed petitioner to officiate every alternate fasli of 3 years. The latter part of the order however, which on appeal to Deputy Commissioner gave a simple declaratory decree to petitioner.

The petitioner then appealed to Government & thereon the following order was passed in Council:- "The land revenue of this Pinnika is said to be Rs 4,500 & the Melavaram amounts to about Rs 1,200. The work appears rather too much for one to undertake and discharge satisfactorily. As both these items of revenue belong to two different funds, the Deputy Commissioner will

No 6019

Sales Bill &c

A Coo[illegible] has
been [illegible] for
the abo[illegible] pa
[illegible] Abbey
[illegible] Bill is an
[illegible] & may be
abandoned if [illegible]
completed by the
local authorities.

24/4/97

24/4/97

Petition &c

Make a reference now
to the Lunacy Dept C.

26/4/97

Draft a letter to Surveyor
sending copy of Sycamore
letter urging the necessity
appointing a separate Sheriff
for the Maidstone [illegible]

The D.C.(com)'s report since received
(No 1663 S 6/5/97) shows that
the Mohalla of Mandya town has
not taken into account inspecting
the Pattis. The statement that
the present chauhque does not
get any remuneration from Municipal
Funds is opposed to the information
collected from the Municipal
Budget of Mandya Municipality
for 1896-97

The surplus is opposed to
the Mandya Taluka being
split up into two charges + that
the present difficulty
can be met by the appointment
of a Deputy Shanbogue.

M 9/6/97

No 6019

Sales Bill &c

A Coo[illegible] has
been [illegible] for
the abo[illegible] pa
[illegible] Abbey
[illegible] Bill is an
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The surplus is opposed to
the Mandya Taluka being
split up into two charges + that
the present difficulty
can be met by the appointment
of a Deputy Shanbogue.

M 9/6/97

Consider the expediency of having a separate Shanbhog for each of these items, and submit a report on the same."

The Deputy Commissioner on reporting urges the necessity of having 2 Shanbhogs for the Mandya Taluka, viz, one for the Municipal town of Mandya and another for the marginally noted 5 villages, (5 Koppals) which constitute the Taluka.

1 Chikka Mandya
2 Kalhalli
3 Hosahalli
4 Kondarahalli
5 Jarigenahalli

The Amildar's report on the point forwarded by the Deputy Commissioner shows that until the present dispute arose, the work of the Taluka was all along carried on by 2 Shanbhogs, (one the Shanbhog proper & the other a Gumasta) as it has been too heavy for one to manage; that the dependant villages of the Taluka & the Pissana Mandya are about a mile and a half or two apart from each other; that both of them were formed into a single village & a single Mah was made during the Survey;

7

that the total extent area of the Cantonment is 4.14, A & Cy, the jama bandi is Rs 5,358-2-2 & the population is 4,119 & that the municipal town of Mhow has a population of 2,348 & its municipal jama bandi is Rs 1,118-8 & that there is confusion in the Shanbhog keeping the two accounts, as it sometimes happens that when a khatedar pays, it is appropriated to one fund instead of the other, the report of the Deputy Commissioner carbodying the above was submitted to the 2nd Commissioner who has made the following order "I ask the superintendent of survey to favor the Government with his views regarding the recommendation made by the Deputy Commissioner to split up the charge and the Finance before however doing so consult the municipal Secretariat also."

The Deputy Commissioner has been written to to report whether the Moderation of the boundaries has taken into account in fixing the Peigi of the lands in question

& whether the present Shamboy is paid in addition from municipal funds; and his reply is awaited.

Since writing the above, the Municipal Budget of the Previous Year (Appendix for 1896-97) was sent for and perused.

Para 11 of the Gorlande shows that the mohatarfa was not taken into account in fixing the potpi of Mandya Taluka and from Appendix B. it appears that an annual allowance of 21 Rs is paid to the Shamboge for Collection.

It seems all the more necessary that the Municipal Dept. should be consulted. The question referred to the Municipal Dept. are (1) Whether it is expedient to have a separate Municipality for Mandya Town (No 21 seems to stand in the way) (2) Whether the Municipal Dept is willing to recognise the claim of the Municipal Shamboge (who has hitherto been recognised in the Rev. Dept.

Sub. to Secretary

(with reference to order in draft proceedings prepared in pursuance of Comm's letter No 1306 dt 6/2/97)

ML 8/4/97

by both.

In 1891, the respondent expressed a desire to break up the above joint work. He proposed that one should attend to collections and the other to accounts alternately in each year. In doing this, he the respondent Puttiya, seems to have calculated upon some mischief against the appellant's ~~him~~ Kuk and Hissey. On the 3rd July 1891, he submitted a report to the Amildar of Mandya to the above effect and took up accounts for himself and gave me collections. In 1892-93 the places being exchangeable I gave back the accounts which was in my charge in the year previous and demanded 270 3 and 300 of him for collection. The Respondent refused to do this.

Thereupon the appellant put in a petition to the Amildar who ordered an equal division of the Potyi allowance between the two. Seeing that the appellant was not allowed by the Respondent to look after the duties, as usual, the former filed a regular suit in the French Rocks Sub-division office. (Suit no 5 of 1893-94)

Hastings

stating that he is a Huddar and Hisse
dar Shanboque of Mandya, that he is looking
after the work in succession to his elder
brother and father for upwards of 12 yrs
jointly with the respondent and that
therefore he must be permitted to do
the duties thereof as per manual.

The Sub division officer French
Rocks found that appellant Venkat
ramiah had a right to the office,
that he was entitled to half the Potge allowance
and therefore he ordered that both the
Respondent and the appellant should
alternately, once in three years, do the duties
of the office, the full Potge being enjoyed
by him who was the shanboque at
the time. But the appellant's request
that work should be done jointly
as usual was not granted.

The Respondent being dissatisfied
with this order appealed against it to
the Deputy commissioner, Mysore.
The appellate Court also found that
Venkatramia was a Huddar and Hissedar
Shanboque of Mandya and other villages
and ordered the registry of his name as

11

Mr. Secretary

The Secretary (in his note of 24-4-97) and the 1st Cr. (25-4-97) have approved of the appointg a separate Shanbogue for the Mandya Mcly as recommended by the Mr. And in the Govt. letter of the 29th June 97, Govt have definitely expressed themselves in favor of the said appte; but the question has been "referred to the Mcl Dept for consideration and disposal," as the 1st Cr. is of opinion that the underpaying to the appte of Rs 15 is unjustifiable as Mcl Shanbogue in the Mcl Branch

~~The Govt order stated~~

The question of the Remuneration allowed requires orders. The current year's Mcl Budget provides a commission of 2 p.c., which comes only to 23 Rs a year. ~~Govt stated~~ Unless this is considered sufficient the Dy Cr may perhaps be asked how he proposes to remunerate the new Shanbogue, and whether the Rs 15 is willing to accept it.

3/8/97

Please communicate the sanction - We may see about the remuneration by the representation of both undersigned.

3-8-97

Rec'd 4.8.97
4 P.M.

Counsel case 12

In time

Stamp sufficient.

(Send copy of any order passed in the appeal case, and state value if it has been stated) —

Subject to order -

Copy sent to Counsellor

The case may be posted for hearing & the record & the report called for 6

23-10-95

4/11/95

(1) 1895

No. 468

Name of Petitioner, Venkatramanya

Village, Shanbogue of Kasba Mandya

Taluk, Mandya

District, Mysore

Date of Arzi, 12-10-95

Date of Receipt, 16-10-95

Date of Disposal,

No. of Enclosure, 4

111 of 95-1

ABSTRACT.

Appealing against the decision of the Dy Comr, Mysore Distt, regarding the Shanbogi of Kasba Mandya, confirming the continuance of Venkatramanya as Shanbogue but ordering the name of Venkatramanya to be registered as a Shanbogue.

Petr states that he is the Huckdar & Hereditary Shanbogue of Kasba Mandya; that his father and elder brother did the work successively till 1877-8, when owing to a dispute as to his right to the office a suit was filed in the late Mandya

Read 12/12/95

Draft order

Order sheet & Draft order to be typed

Typed

Order sheet 17/12

Draft

13/12/95.

D Pet V 1158 Encls 5 draft 18/12/

20

MYSORE DEWAN'S OFFICE,

PETITION DEPARTMENT.

(2) (61

OFFICIAL MEMORANDUM.

The accompanying Appeal Petition No. 1438 dated 12-10-95 received at the Dewan's Office from Venkataramaiya, Shanbhag Kasba Mandya, Mandya D appealing against the Mysore Deputy Commissioner's order regarding the Shanbhagi of Kasba Mandya.

L.R. III-95-2

is forwarded, together with its four enclosures, to the Deputy Commissioner of the Mysore District for submission of the entire proceedings connected with the case, together with a full report of the facts of the case, and on the points urged in the petition.

2. The petition with its enclosures should be returned.

C2

By order,

Sd/-

for Revenue Chief Secretary.

BANGALORE,

17-12-1895

18.

13-12-95

M.G.C.P.B.—25-4-95—1,000

by both.

In 1891, the respondent expressed a desire to break up the above joint work. He proposed that one should attend to collections and the other to accounts alternately in each year. In doing this, he the respondent Puttiya, seems to have calculated upon some mischief against the appellant's ~~him~~ Kuk and Hissey. On the 3rd July 1891, he submitted a report to the Amildar of Mandya to the above effect and took up accounts for himself and gave me collections. In 1892-93 the places being exchangeable I gave back the accounts which was in my charge in the year previous and demanded 270 3 and 300 of him for collection. The Respondent refused to do this.

Thereupon the appellant put in a petition to the Amildar who ordered an equal division of the Potyi allowance between the two. Seeing that the appellant was not allowed by the Respondent to look after the duties, as usual, the former filed a regular suit in the French Rocks Sub-division office. (Suit no 5 of 1893-94)

Hastings

stating that he is a Huddar and Hisse
dar Shanboque of Mandya, that he is looking
after the work in succession to his elder
brother and father for upwards of 12 yrs
jointly with the respondent and that
therefore he must be permitted to do
the duties thereof as per manual.

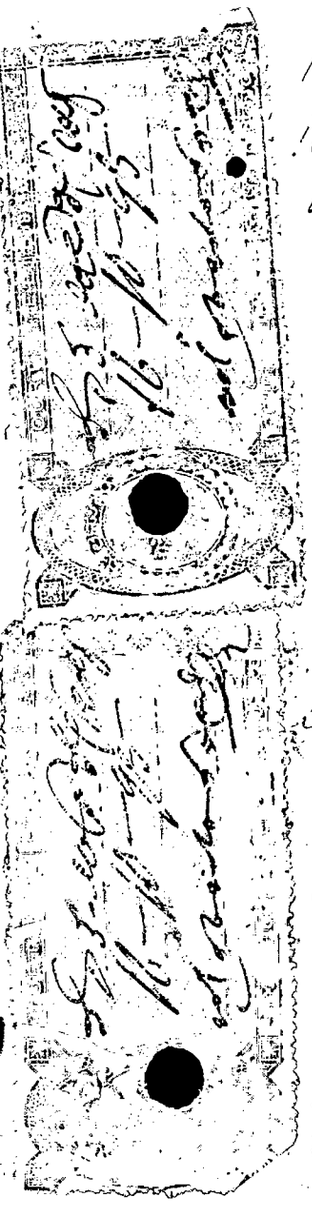
The Sub division officer French
Rocks found that appellant Venkat
ramiah had a right to the office,
that he was entitled to half the Potge allowance
and therefore he ordered that both the
Respondent and the appellant should
alternately, once in three years, do the duties
of the office, the full Potge being enjoyed
by him who was the shanboque at
the time. But the appellant's request
that work should be done jointly
as usual was not granted.

The Respondent being dissatisfied
with this order appealed against it to
the Deputy commissioner, Mysore.
The appellate Court also found that
Venkatramia was a Huddar and Hissedar
Shanboque of Mandya and other villages
and ordered the registry of his name as

Kiranga Subdivision by which the Petr was disinherited and entered as a pumasta; but that he was allowed to do the work of Mandya Kacha Hobali and enjoy the miraasi allowance, the Respondent being the Shanbogue of 4 other villages; that after the Survey & Settlement the villages comprising the Shanbogi were united into Mandya Kacha and the work was conducted by the Petr & Respondent conjointly, the Potge allowance being also enjoyed by both; that in 1891 the Respondent broke up the joint work by proposing to the Petr that one of them should attend to collections and the other to accounts; that Petr consented to this and took up the accounts for one year after which he handed it over to the Respondent who refused to allow Petr to do collection work; that thereupon the Appellant petitioned the Guildas to the above effect who ordered an equal distribution of the Potge and that subsequently a regular suit was filed by the appellant before the Subordinate officer of Kanakapura by which he was entitled to half the Potge amount, and the Shanbogi office was to be held by both in rotation for 3 years; that upon the Respondent's appeal to the Dist Court, though the Petrs right to the Shanbogi was admitted, he was neither allowed to do the duties of the office, nor to enjoy the Potge amount but his name was ordered to be registered as a Shanbogue, the Respondent continuing to be Shanbogue.

Prays that Govt may be pleased to peruse the records of the case and order that the work of the Shanbogis Office be done by both as per Mamool.

Petition
24/10-



Received 1436
16-12-95

MYSORE DEWAN'S OFFICE
PETITION DEPARTMENT
REG'D. NO. 4035
DATE 16-12-95

14

In the Revenue Council to the Government of Mysore.

Present

Appellant	Respondent
Venkatramayya,	Krishna, alias
son of Subbia, Hasedar	Puttiya, Shan-
Shanbogue of Kaded	bogue of Mandya
Mandya, residing at	residing at Mandya
Mandya.	

This is an appeal against the order of the Mysore Deputy Commissioner in Revenue Appeal No I of 1895-1896 on the file of his Court and also against the order of the French Rocks Sub Division Officer in Revenue case No 5 of 1893-94.

A. No 66 of 1895-96

The facts of the case are:—

The appellant Venkatramia is the Hakdar and Hasedar Shanbogue of Kasba Mandya and 7 other surrounding villages. His father and elder brother did the work successively till 1887-8. In that

year a dispute arose as to the right
to the Hice between the appellant Venkat
-ramma and the Respondent Puttiya
with 4 others. On the institution of a
regular suit by Venkatramma in the
Court of the late Mandya Sub-division
officer that officer ordered in his order No
1121 dated 10 January 1877 that the appellant
Venkatramma should be registered as Gunnata
instead of being called a Hesaraand that
both should do the work. accordingly
the appellant was looking after the work
of Kasba Mandya and Hosahalli and
the respondent took up the work of 4 villages
Chikkamandya etc. The pay of the office was
received by each for 6 months in the year
and the Mirasi allowance thereof was
enjoyed by each in his own division, the
accounts were prepared by both jointly.

On the introduction of Survey and
settlement in 1887-8 Kasba Mandya and
7 other villages of the Shanbogi were united
into one and named Kasba Mandya
and the work of the office was being done
by both the Respondent and the appellant
and the Potge allowance was enjoyed

Such. But the Sub Division officers
Order in favor of the appellant was
set aside by the Deputy Commissioner
on the ground that the rules
of rotation have not yet been sanctioned
by Government. This order has left
the appellant, Venkatramia, in a
dilemma, for on the one hand, he is
recognised as the Hukdar and Hissedar
Shanbogue and on the other he is
allowed neither to do the work nor to enjoy
the allowance

He most humbly requests
that the Govt will be pleased to
send for and peruse all the records
bearing on the case, from which
it will be clear that he has a
hereditary claim to the office.
This fact has been made out, as
said above, in the 2 lower courts.
Under such circumstances the ap-
-pellant Venkatramia humbly requests
that the Govt will be pleased to order
that the work of the office should
be done by both as per mamool
and that the costs of the suits in
the 3 courts should be borne by the

Respondent who has all along tried
his best to deprive the appellant
of his right to the office

The original and attested Judgment
an extract from the Barabaloothi Re-
-gister with a genealogical tree are
also enclosed for perusal and consider-
ation of Govt

[illegible]

12. 10. 1895.

Submitted with reference to the Revenue Commissioner's order on the Abstract of petn 1435 dated 12-10-95

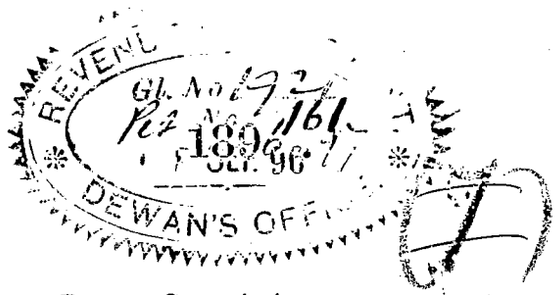
7/9

Papers & 2a Petition Petition & Enclosures

7/9

Noted in Abstract

L.R. 111-95-3



Gl. No. 172
Pet 1435
Sept. 96

91

From

The Deputy Commissioner
of the Mysore District.

To

The Secretary to the Government of Mysore,
Revenue and General Departments.

Dated 3rd
Despatched
Received
} September 1896.

Enclosures No. Petition No. 1435 with its 4 Encs. & Commune record

No. 472

Submitting the record in Revenue Appeal No. 1 of 95-96 regarding the Shanbhag ship of Mandya.

Rev
8/9/96

Read
9/9

Referred to.

Rang
16/9

No. 472
Rev. 5th
Dec. 96.

Deputy Commissioner's Office,
Mysore District
Dated Mysore 3rd September
1896.

To

The Secretary to the Government of Mysore,
Revenue and General Department.

Sir,

As called for in your memorandum No. Pol. 1158 of the 17th December 1895 (and reminders as per margin), I beg to submit herewith the record in Revenue Appeal No. 1 of 1895-96 on the file of this office regarding the Kanbhagadi of Mandya.

Pol 1310 of 27th January 1896
Pol 1547 of 20th Feb. 1896
Pol 357 of 30th March 1896.

2. The petition received with the memorandum under reference is herewith returned with its enclosures.

I have the honor to be,
Sir,
Your most obedient servant

Deputy Commissioner
of the Mysore District

MM

1. What right has the plaintiff to participate with the defendant in the emoluments of the Shambhogee skip of Gumdaya ~~Talak~~ Pirkha.

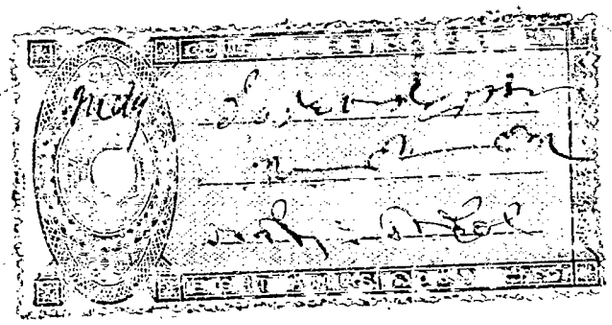
2. Is the plaintiff claim barred by the law of Limitation.

With regard to the 1st issue the right of the plaintiff to the shambhogee of Gumdiah as a Hissaydar is made clear in Revenue original Suit No: 20 of 187[illegible] 79 on the file of the Gumdiah Sub division officer against which the defendant cannot be allowed to gain say. The defendant was a party to that suit. According to the decesion passed in that suit, the defendant was ordered to be registered as Barawerdar and plaintiff as gumashta. accordingly the plaintiff and the defendant have been ever since jointly conducting

the duties and enjoying the Potigi in
equal shares. Having thus abided by
the decision in the above suit for a
period of more than 12 years; the
defendant now ingeniously tries to
make out that the plaintiff was only
appointed a gumasta to help him with
any right as hissaydar and that he is
not now in want of a Gumashta and
therefore he was dismissed with his services.
That the plaintiff has a right to the
Shanbhoge as a hissaydar and has been
performing the duties jointly with the
defendant according to the decision
in the above suit and the subsequent
order B passed thereon ever since 1879
the defendant cannot now deny the
joint right of the plaintiff and his
participation in conducting the duties
and try to shake him off.

1438
11.

24



1438/2

(3)

In the Court of the Deputy Commissioner
of the Mysore District
dated Mysore 2nd August 1895
Before B.K. Venkataveradiengar Esquire
Deputy Commissioner

Regular Revenue Appeal no. 1 of 1895-96

Appellant (Defendant) Respondent (Plaintiff)

Krishnaji alias Bantiya Venkataramaiah
Shanbhogue of the Hanaiya reading in Kasaba
firka, residing in Kasaba Hanaiya, Hanaiya,

1. This is an appeal against the order of the
Tirneri Circle Sub-magistrate's Office, dated the
17th January 1895, in Regular Revenue case no. 5
of 1893-94 on the file of this Court decreeing
that the Respondent (Plaintiff) has a right

to

to the office of Sriandhogue of Manaiya as — hereasiar, that he is entitled to one half share of the pistagi, and that the appellant and the Respondent should each conduct the duties of the office for a term of 5 years alternately, the term of the Respondent commencing from the year 1895-96.

2. The grounds of appeal are: —

(1) That the Respondent (Plaintiff) has not proved that as alleged by him there was an oral agreement to the effect that the — appellant and the Respondent should each bear after the collection work and the writing of accounts alternately every year.

(2.) That in Revenue suit no: 2 of 1878-79 on the file of the late Sub-Collector's office, of Manaiya, the appellant has not, as alleged, admitted that the Respondent has an equal

right with him to the Chandragiri office in question.—

(3) That the lower court is wrong in holding that Respondent was entitled to a halfshare in the office in spite of the fact that Respondent merely acted as gumasta of the Appellant.

(4) That the suit is barred by limitation; &

(5) That the judgment of the lower court is opposed to law, evidence and the record of the case.—

may

3 That the parties belong to the same family is admitted, and in fact the Pleader for the Appellant, Mr Venkatadriya, in course of the argument states that the Respondent is a "Viswadar" but that he has no right to be registered as Chandragiri I do not understand this argument.— If he is a "Viswadar" (or sharer) he

long to Pet^n Branch

Transferred to the petition Branch.

24/2

Refs ~~are~~ put up ~~for~~
~~for~~ ~~No 2300 of 16-4-97~~

AK
27/2

L.R.111 - 97

Chatra nagar) instituted a suit before the Sub Sr Offr for a declaration of ½ share in the Archa of the Archa Thambopse. The Sub Sr decd the claim ~~to~~ allowed ~~altogether~~ ~~except~~ except every ~~except~~ to the latter party the order was appeal to Dy Commr who simply declared by decree

el to Govt the Dy Commr
ked to report whether one
ge was adequate to discharge
es of a heavy Archa and whether
ointment of a separate
ffice for Mandya town was
ecessary, Land Rev + Mohatarfa
separate items of revenue

r reports that the two Thanr
e necessary, one for the town
for the Archa and that the
fficers is of the same opinion

Subd to 2nd Comr
a draft order + endorsement
JM
9/3/97

ENT DEPART
1896-97

~~A 5553~~
~~3779~~
R 525

From The Deputy Commissioner Mysore District.

To The Secretary to the Government of Mysore Revenue & General Depts.

Dated 16th
Despatched February/97.
Received
General No.
No. 1306

Enclosure No. 4

stating that the appointment of one Chambopse for the five villages of the Grandya Archa and of a separate person for the Municipal town of Grandya is necessary.

Nes
22.2.97

29 Mysore District.

Deputy Commissioner's
Office

No. 1306 Ex. 4

Dated 16th February/97.

From,

The Deputy Commissioner
Mysore District.

To,

The Secretary to the
Government of Mysore
Revenue & General Depts.

Sir,

With reference to Government order No: 4223 P. 630 dated 7th November 1896, enquiring whether it is not too much for one man to be entrusted with the shanboguship of the Mandya Firkha, I have the honor to state that the appointment of one Shanbogue for the five villages of the Firkha noted in the margin* and of a separate person for the Municipal town of Mandya is necessary. The annual Jamabandy of the 5 villages is Rs.

* 1. Chick
2. Kalk
3. Hosak
4. Kona
5. Janda
- Cal

24

Copy supplied by Venkatramiah on 5-9-95

Copy ready 7-9-95

Copy delivered 7-09-95 morn

no: of words 613

Copying fee :- 10-6

Comparing fee :- 2-6

Paper cost :- 1-6

M. Shanthi Rao

Copyist

he must be registered as a Shanbog. – The appellant has in a former suit above referred to, admitted unequivocally that the Respondent is a shareholder (or hissadar). I therefore agree with the Lower Court in thinking that the Respondent should also be registered as a Shanbog. –

This appeal is dismissed, the appellant bearing all the costs throughout, But the direction of the Lower Court that the parties should do the duties of the office by turns is cancelled as the rule of rotation has not as yet been passed. – In result the appellant will continue to be incharge of the office.

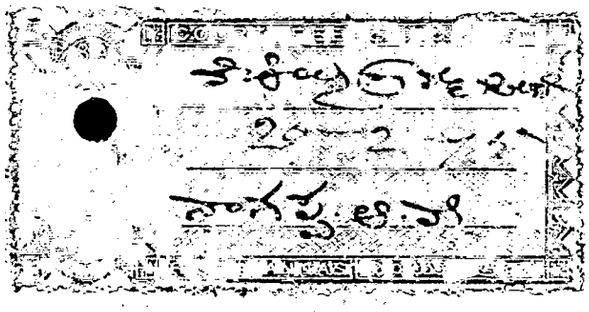
27-8-95.

(Signed) B. K. Venkataramana Iyengar

Deputy Commissioner

Compared
N. Sanjeevaiya

"Copy"
M. A. Krishnaiyar
Revenue Sheristadar
Mysore District



438
(

29 (2)

In the Court of the Sub-Divisional Officer
French Rocks.

K. Sulaimanbari Sub Divisional Officer
French Rocks.

Case: French Rocks Dated: 4th January
1895.

Revenue Case No: 5 of 1893-94.

Plaintiff
Jinkalamma

Defendant
Krishnaiah Reddi
Pattadi

Judgment

This is a suit claiming the right to perform the Mandrigam duties of Grandy village conjointly with the defendant and to half share of the Police

2. Defendant denies that the plaintiff has any right to the Mandrigam, but

No. 334
344

[illegible]

30/11/96.

[illegible]

admits that he allowed the plaintiff to do the work jointly with him from 1879 to 89 and to receive half share in the profits and states that since two years as he was not in want of the help of the plaintiff he dismissed him and did all the work himself notwithstanding this he either paid the plaintiff half share in the profits.

3. The defendant admits that he received the statement marked A agreeing that the plaintiff may be allowed to do the work alternately every year on which no order was passed, the defendant further denies that he did not enter into any written contract with the plaintiff agreeing that the plaintiff should attend to the accounts one year and to the collection and vice versa alternately every year.

4. The issues framed in the case by my predecessor Mr Narayan Rao are

I therefore decide that the Plaintiff is a Mortgagee of the Premises & the Defendant is entitled to the usual Decree in Favour and in regard to the Mortgage.

The suit is not barred by law of limitation

The real question to be decided is whether it is desirable to permit the parties to continue the dutie[illegible] alternately every year or to hold one responsible person and the other for the more alternately every year.

I however consider that such an ~~assignment~~ arrangement will prove prejudicial to the easy transaction of work. I therefore direct that each shall conduct the duties for the term of 6 years alternately

and receive the full Extn for the term.
The term of the plaintiff to commence
from next year 1895-96.

Each party to bear his own
costs.

17-1-95 (Signed)

Arulnandalle
Sub Division Officer
French Rocks.

Compared
30-3-95

(1)

Draft

No 9480
P. 1586 dated 27.4.97

From

The Secretary to Govt
Genl and Rev. Dept

To

The Superintendent
of Rev. Survey in Mysore

L. R. 111-95-7

Sir,

In forwarding herewith copy of Mysore Deputy Commissioner's letter No. 1306 dated 16th February 1897 urging the necessity for appointing a separate Shanbhog for the Hoondya and splitting the Maastya Jyothy Hobli into two charges, I am directed to request you to be so good as to favour Govt with your opinion in the matter.

I have &c.

Draft

for Secretary to Govt
Genl & Rev. Dept.

27/4/97

"Diary format"

1433
3

111

9248

2 put up
AK
6/6/97

57

Gen. Serial No. 30.] P 706 1897

OFFICE OF THE DEWAN OF MYSORE
11069
JUN 1897

From The Supt Mysore Survey

To

The ~~Chief~~ Secretary to the Govt
~~Dewan~~ of Mysore.

5th to the Assistant Secretary
2nd Consider wt a Memo
JM
2/6/97

L. R. 111-95-9

Dated Bangalore 5th June 1897

Despatched

Received

Enclosures No.

General No. 804
No.

In reply to Letter No. 9480 of 24th
P 1586 April 1897

SUBJECT.

Submitting his opinion on the subject of appointing a separate Shanbog for the Allundya town and splitting the Allundya Firka into two charges

References (to be entered only in the Dewan's Office.)

Petition
7-6-97

RJ
11 ons/6
AK

Sp 804

Survey Superintendent's O
Bangalore 5th June

To

The Secretary to the
Government of Mys
General & Res
Depart

Sir

In reply to your lette
No 9480 / Sp 1586 dated the 27th Ap
1894, I have the honor to sta
that in my opinion it wou
be a grave mistake to split
the village of Chandya into
charges, if by that I am to
understand that it is sug
ed to make the present villa
into two charges. The simp
course seems to me to appo
a Deputy Shanbag, out of

Proceedings of the Govt of Bijapur

Read :-

Records relating to the appeal of Venkatarangaya of Ranaja, regarding his claim to the office of Shanbhog of Kasaba Ranaja, received with letter 1472 dated 3rd September 1896 from the Dy. Commr, Bijapur District.

L.R. III-95-4

Order thereon, No 4220/P630, 7.11.96

The land revenue of the [redacted] is said to [redacted] Rs 45-00 and the Inchalit[redacted] amounts to about Rs 12-[redacted] The work appears rather [redacted] much for one to undert[redacted] and the salary satisfactory[redacted]

As both these items of Revenue belong to the different funds, the Deputy-Commr will consider the expediency of having a separate Schedule for each of these items, and submit a report on the point.

Draft- 7/11/96.

C2+3 for Secretary

To
The Deputy-Commr
Bijnor-Division.

S.V. 5/11.

55

L.R. III-95-10

Proceedings of the Government of

Read:—

(1) Petition No. 1438 / A.S. 66-95 dat
12th October 1895 from Venkatā
aiya, Mandya Kasba, Mysore
District, appealing against
the Deputy Commissioner's order
and decree in Revenue Appeal
No. 1 of 1895-96 on the file of
his court regarding his claim
to the Shanbhogi of Kasba ~
Mandya and its Dākhale
villages.

2. Letter No. 1306 dated
16th February 1897 from the
Deputy Commissioner Mysore
District, reporting that, with
reference to Government Order
No. 4223 / P.630 dated 7th November 1896
the appointment of one Shanbhog
for the 5 villages of the Mandya
Firka and of another for the ~
Municipal town of Mandya is
necessary.

3. Letter No 1663 dated 6th May 1897 from the above Deputy Commissioner, reporting that, in reply to Government Order No 8817/P.1502 dated 6th April 1897, the Mohatarfa of Kasba Mandya was not taken into account in fixing the Potgi of the Firka and that the present Shanbhog does not get any remuneration from the Municipal funds.

4. Correspondence ending with letter No 804 dated 5th June 1897 from the Superintendent Revenue Survey, reporting that, with reference to Government Order No 9480/P.1586 dated 27th April 1897, he was of opinion that the Mandya Firka should be split up into two charges, and suggesting in lieu thereof the appointment of a Deputy Shanbhog.

Order thereon: No 1332-3/P.166 Dated Bangalore 29th July 1897.

The facts are as follows:—

Petitioner Venkatramaiya instituted a regular suit in the Court

Rs 5,575, with a deficit of Rs 200
while the Municipal revenue of the town is Rs 1,175, with a population of
2248. Since the formation of the Municipality at Bramdiya separate accounts
have been maintained for the Municipal town and for the other
villages of the Pirkha, and the Sub
Division often also recommends
the nomination of separate taxa-
tors for each. His report is
submitted.

I have the honor to be
Sir,
Your most obedient Servt.

E Ramsbotham
Deputy Commissioner
Bhopawar District

Compd.
Ldy

Proceedings of the Government of Ceylon.

441

Read

Records relating to the appeal of Vankalaramya Hiramdya, regarding his claim to the Shambhoge of Kasba Maddya, received with letter No. 472 dated 3rd September 1896 from the Deputy Commissioner, Kegalle District.

Order thereon.

Dated Kandy 7th November 1896.

The land revenue of this Pattu is said to be Rs 4800/- and the Inchaluppa amounts to about Rs 1200/-. The work appears rather too much for one to undertake and discharge satisfactorily. As both these items of revenue belong to two different funds, the Deputy Commissioner will consider the expediency of having a separate Shambhog for each of these offices, and submit a report on the point.

(Signed) L. Aluwihare Kumaru Rao

For Secretary.

French Rocks Sub-Office
P.O. French Rocks, the 23rd day
of November 1896

No 338

Copy of the above is forwarded to the Auditor of the Manoya Talook with a request that he will report his views regarding the appointment of two Shanbogs one for the Sirika and the other for the Mokha Karja jeem of the Kasba Manoya.

The report should be full and complete in which the Auditor is to express the measure and must be written 5 days from the receipt of these Proceedings.

22.11.96

Sub Deputy
French Rocks

23638
25/11/96

Received the Memorial Report of the Shanbogs of the Kasba Manoya praying that the Office of Shanbog may be granted to Nanjaiah and Mallappa respectively and that Puttaiya may be retained in the Office of Shanbog for the Mokha Karja jeem

24/11/96

Proceedings of the Government of Mysore

Read 45

Records relating to the appeal of Venkataramaya of Mandya, regarding his claim to the Shanbhogi of Kasba Mandya, received with letter No. 472 dated 3rd September 1896 from the Dy. Commissioner, Mysore District.

Order thereon

No. 4223 / P630. Dated Bangalore 7th November 1896

The land revenue of this Hobli is said to be Rs 4500/- and the mohatarfa amounts to about Rs 200/-. The work appears rather too much for one to undertake and discharge satisfactorily. As both these items of revenue belong to two different funds, the Dy. Commissioner will consider the expediency of having a separate Shanbhog for each of these items, and submit a report on the point.

(Sd) [illegible] Anantaswami Rao

for Secretary

No. 749 / 509

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

M. Shama Rao

for Dy. Commissioner

Mysore District

19-11-96

22-11-96

16/11/96

1278

62

Read:—

Para 3 of Govt. Proceedings etc. 1332-3/0166 of 29th June 1897, in regard to the appointment of a separate Shanbhog for the collection the Municipal Mohatarfa of Alandur unconnected with the rest of the village

L.R. 111-95-12

---

* 9-8-97

Order thereon 2128-29 */L7295-96/

The Government are pleased to approve of the Dy. Commissioner's proposal to appoint Venkobaraodiah ~~asstt~~ as the Municipal Shanbhog of Alandur and to direct that he be paid from Municipal funds the usual remuneration of 2 per cent on the collection

(Initialled) K.b
For Secretary

"Copy"

To, The President of ~~the~~ Municipality
in the Mysore District
Commissioner

47

L.R. 111-95-6

No. 8817 & 6-6-97 (15)
No. 1502 /

From (14)

The Secretary to the
Govt of Mysore

To the Registrar
Mysore District

Bangalore, Dated 5th June 1897

Sir,

I am directed to forward herewith a petition dated 5th February 1897 from Rahimbee Bibi and Mahomed Ali Saheb, Trustees of the Jumma Masjid at Seringapatam, praying that they may be permitted to appoint Mahomed Ali Saheb as Trustee of the Jumma Masjid at Seringapatam in the room of Mahomed Ali Saheb deceased, and to request that you will be good enough to report after making such enquiry as you may think necessary in the matter, whether the petitioners are entitled to the relief they seek.

2. The petition should be returned with your report.

I have the honour to be,
Sir,
Your most obedient servant,

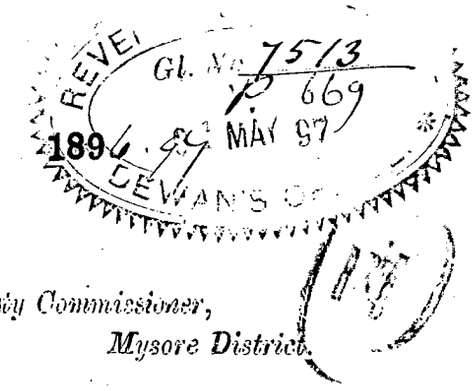
[illegible]

Offg

6/6/97

The present Shanbogue is hard on a petition from Managers of the Jumma Masjid [illegible]

Leg



From

The Deputy Commissioner,
Mysore District.

To

The Secretary to the Govt. of Mysore,
Revenue and General Departments.

Dated 6"
Despatched 7 May 1897
Received
General No. 1663
No. R. 111-95-8

Enclosure No. two files & records

Submitting further information in re the appointment of two Shanbhogs - one for the Municipal town of Srirangapatna, and the other for the 5 villages belonging to the Taluka

---

Put
[illegible] 97
VR
RD AK 12/5

Reference submitted to 1st Counsellor on 23/4/97

AK 12/5

Send
13/5/97

* Remember that the papers were received back from the Pol Counsellor in reference to which a report has been made to the Survey Supt. The clerk who says that the papers are with the Pol Counsellor & the clerk who forwarded them to me will show me them & information regarding such carelessness is very unsatisfactory MM 15/5/97

The clerk has been warned & awarded strict Shabash by MM 17/5/97

X

No. 1663
Enclosure No. 2 file. 5th

DEPUTY COMMISSIONER'S OFFICE,
MYSORE DISTRICT,
Dated Nazarbad 6th May 1897

To

The Secretary to the Government of Mysore,
Revenue and General Departments.

SIR,

In reply to your letter No. 8917 / P 1502 of the 6th April 1897, calling for further information in the appointment of two Chauldrys - one for the Municipal town of Nanjan and the other for the five villages belonging to the Taluk, I have the honor to state that from a report received from the Sub Divn Officer of French Rocks, it would appear that the population of the Taluk Nanjan was not taken into account in fixing the Pottji of the Taluk and that Nanjan the present Chauldry does not get any remuneration from the Municipal funds.

2. The entire vernacular records bearing on the subject are herewith retransmitted.

I have the honor to be,
Sir,
Your most obedt Servant

Deputy Commissioner)
Mysore District

Copies:

Kalidas family to the Sirdesai. The Deputy Commissioner directed the payment of the former at a fair proportion of the Patti

2. The Deputy Commr speaks of 5 villages besides Mandya but Mandya has always been a distinct village, was so entered in the Taluk "Rajaru" and was measured as a separate village at time of Survey. The 5 so called villages have, so far as I can see, no significance in the ordinary meaning applied to villages for revenue purposes. The very greatest convenience

convenience and simplification of accounts has accrued from this village (including 6 Nagri villages) having measured separately and to now split it up would in my opinion be a mistake. The appointment of a Deputy Sanitary to assist will meet the present difficulty.

I have the honor to be
Sir,
Your most obedt Servant

Asstt Collector Revenue
Survey

57

of the Sub-Divisional Officer, Periya
kadu, for a declaration of
his right to perform the duties
of Shanbhog of Mandya village
jointly with the Defendant
Puttaiya and to have a share
in the Service. The Sub-Divisional
Officer decreed Petitioner's claim
and allowed him to officiate
every alternate term of 3 years.
On Defendant's appeal the Deputy
Commissioner, the Sub-Divisional
order was modified by omit-
ting all reference to officiating
by rotation, it being held
that Petitioner being a
hereditary should not claim
the incumbency of the Officiating
Shanbhog. Hence the present
appeal to Government.

2. The order of the Deputy
Commissioner should stand
is correct. There can be but
one officiator to the Office,
and the prayer of the Appellant
to be allowed to discharge the
duties of Shanbhog alternately
or by turns with the registered
Shanbhogis inadmissible.

The appeal is therefore dismissed.

3. In the course of the enquiry into this matter, it was noticed that the revenue of this charge comprised a sum of about Rs 2000 which was the Motarfa revenue of the Mandya Inam and was credited to the Funds of that Municipality. The Kasbah contained that for the purposes of the collection of this revenue the Municipality maintains a separate set of accounts and pays a small remuneration to the village Shanbhag. The Deputy Commissioner recommends that his work may be separate from that of the village Shanbhag who has to deal with a large revenue of about Rs 4500 and submits a proposal of the Sub Divisional Officer to put the appellant in charge of the Municipal revenues. The Survey Superintendent objects to the splitting up of the charge which is but one village, but suggests the advisability of a Deputy Shanbhog being appointed

59

prior to being registered Shanbhog.
The Deputy Commissioner reports that in computing the Patel's remuneration, the Town Mohatarfa revenue was not taken into account. Under these circumstances Govt consider that it will facilitate the discharge of work, if for the Municipal revenue of the Town, a separate Shanbhog unconnected with the rest of the village, the revenue of which is considerably more than the maximum laid down ordinarily for a Shanbhog's charge in the Patel's duties, is appointed, and are accordingly pleased to sanction the appointment of a supernumerary Shanbhog as proposed by the Deputy Commissioner.

Desp. Esq.
M 9/7/97

V.R.
24/6/97
For Secretary

The Deputy Commissioner, Mysore District ~~with enclosure~~

The Superintendent of Revenue Survey in Mysore

The 3rd Councillor did not at first see the necessity for the substitution & said that the disturbing the offices into branches was not approved in Govt proceedings.
M 22/7/97

Sub. to 3rd Councillor (for perusal)
M 21/7/97

This question will be referred to the Municipal Dept of the Govt Secretariat for consideration & disposal

Subd. to 2nd & 3rd Councillors
6/7/97
M 6/7/97

Rd 6.30 Pm
6/7/97

All ... substitution ... the ...
20/7/97

21-7-97

60

L.R. III - 95 - 19

27-7-97

(1)

61

By order

Asst

C, 1, 2, 3

Sir Secy

By order

Asst

C, 1, 2, 3

Sir Secy

By order

Asst

C, 1, 2, 3

Sir Secy

L. R. 111-95-13

Re 2322/0.337 & 27.8.97 Indian

Copy forwarded to the

(our ~~letter~~ page

~~In the Secret letter~~

In the ~~Secret~~ letter No 365 Secret

dated 25-8-97 (illegible)

25/8/97